

# BAKER BOTTS LLP

09/19/01  
J1046 U.S. PTO

Please type a plus sign (+) inside this box → ⊕

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b>	Attorney Docket No.	AP32738 066876.0102
	First Inventor	Shalaby et al.
	Title	Herbal Compositions * see attached
	Express Mail Label No.	EF321682197US

(Only for new nonprovisional applications under 37 CFR 1.53(b))

<p style="text-align: center;"><b>APPLICATION ELEMENTS</b></p> <p>See MPEP chapter 600 concerning utility patent application contents.</p> <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) <i>(Submit an original and a duplicate for fee processing)</i></li> <li><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</li> <li><input checked="" type="checkbox"/> Specification [Total Pages <b>40</b>] <i>(preferred arrangement set forth below)</i> <ul style="list-style-type: none"> <li>- Descriptive title of the invention</li> <li>- Cross Reference to Related Applications</li> <li>- Statement Regarding Fed sponsored R &amp; D</li> <li>- Reference to sequence listing, a table, or a computer program listing appendix</li> <li>- Background of the Invention</li> <li>- Brief Summary of the Invention</li> <li>- Brief Description of the Drawings (if filed)</li> <li>- Detailed Description</li> </ul> </li> <li><input checked="" type="checkbox"/> Claim(s) [Total Sheets <b>8</b>] <input checked="" type="checkbox"/> Abstract of the Disclosure [Total Sheets <b>1</b>]</li> <li><input type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets <b>1</b>]</li> <li><input type="checkbox"/> Oath or Declaration [Total Pages <b>1</b>]             <ol style="list-style-type: none"> <li><input type="checkbox"/> Newly executed (original or copy) Copy from a prior application (37 CFR 1.63 (d)) <i>(for continuation/divisional with Box 18 completed)</i></li> <li><input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b> Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</li> </ol> </li> <li><input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</li> </ol>	<p style="text-align: center;"><b>ADDRESS TO:</b> Assistant Commissioner for Patents Box Patent Application Washington, DC 20231</p> <ol style="list-style-type: none"> <li><input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)</li> <li>Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i> <ol style="list-style-type: none"> <li><input type="checkbox"/> Computer Readable Form (CRF)</li> <li>Specification Sequence Listing on:                     <ol style="list-style-type: none"> <li><input type="checkbox"/> CD-ROM or CD-R (2 copies); or</li> <li><input type="checkbox"/> paper</li> </ol> </li> <li><input type="checkbox"/> Statements verifying identity of above copies</li> </ol> </li> </ol>
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18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. \_\_\_\_\_

Prior application information Examiner \_\_\_\_\_ Group Art Unit: \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**

☒ Customer Number or Bar Code Label **21003** or ☐ Correspondence address below

(Insert Customer No. or Attach bar code label here)

Name	
Address	
City	State
Country	Zip Code
Telephone	Fax

Name (Print/Type)	Rochelle K. Seide	Registration No. (Attorney/Agent)	32,300
Signature	<i>Rochelle K. Seide</i>	Date	09/19/2001

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09-20-01

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09/19/01  
J1046 U.S. PTO

UTILITY  
PATENT APPLICATION  
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. AP32738 066876.0102  
First Inventor Shalaby et al.  
Title Herbal Compositions \* see attached  
Express Mail Label No. EF321682197US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims main entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 40]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - ☒ Claim(s) [Total Sheets 8]
  - ☒ Abstract of the Disclosure [Total Sheets 1]
4. ☐ Drawing(s) (35 U.S.C. 113) [Total Sheets ]
5. Oath or Declaration [Total Pages ]
  - a. ☐ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 18 completed)
  - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other: .....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No. ....

Prior application information Examiner .....

Group Art Unit. ....

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

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or ☐ Correspondence address below

Name

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City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type)

Rochelle K. Seide

Registration No. (Attorney/Agent)

32,300

Signature

Rochelle K. Seide

Date

09/19/2001

J1046 U.S. PTO  
09/19/01

09/19/01

## Addendum Sheet 1

## \*Question 4 Addendum

4.a. Drawings are ☐ formal ☐ informal

## \* Question 5 Addendum

5.c. ☐ An unsigned oath or declaration is included.

## \* Question 8 Addendum

8.d. ☐ A sequence submission will follow.

## \* Question 9 Addendum

9.a. ☐ Assignment documents will follow.9.b. ☒ Assignment documents have been filed in  
parent application No. 60/233856 filed 09/20/2000

## \* Question 11 Addendum

11.a. ☐ English translation will follow.

## \* Question 12 Addendum

12.a. ☐ Copies of IDS citations will follow.

## \* Question 15 Addendum

15.a. ☐ Certified copies of priority documents will follow.15.b. ☐ Certified copies of priority documents have been filed in parent  
application No.

Use the space below for additional information

--

Title (continued):

Herbal Compositions and Treatment Methods

## Addendum Sheet 2

18a. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation☐ Divisional☐ Continuation-in-part (CIP)

of prior application No.: \_\_\_\_\_

Prior application information:

Examiner \_\_\_\_\_

Group Art Unit: \_\_\_\_\_

18b. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation☐ Divisional☐ Continuation-in-part (CIP)

of prior application No.: \_\_\_\_\_

Prior application information:

Examiner \_\_\_\_\_

Group Art Unit: \_\_\_\_\_

18c. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation☐ Divisional☐ Continuation-in-part (CIP)

of prior application No.: \_\_\_\_\_

Prior application information:

Examiner \_\_\_\_\_

Group Art Unit: \_\_\_\_\_

? ☐ Amend the specification by inserting before the first line the sentence(s)

☐ "This application is a ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of:☐ "This application is based upon:

prior application No.:

, incorporated by reference herein,

☐ which is a ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of:☐ which is based upon:

prior application No.

, incorporated by reference herein,

☐ which is a ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of:☐ which is based upon:

prior application No.:

, incorporated by reference herein,

☐ which is a ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of:☐ which is based upon:

prior application No.:

, incorporated by reference herein,

☐ which is a ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of:☐ which is based upon:

prior application No.

, incorporated by reference herein,

☐ which is a ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of:☐ which is based upon:

prior application No.

, incorporated by reference herein

Priority under 35.U.S.C. §119 is claimed based upon the following applications.

## Foreign Applications:

Country: \_\_\_\_\_

Serial No.: \_\_\_\_\_

Filing Date: \_\_\_\_\_

Country: \_\_\_\_\_

Serial No.: \_\_\_\_\_

Filing Date: \_\_\_\_\_

Country: \_\_\_\_\_

Serial No.: \_\_\_\_\_

Filing Date: \_\_\_\_\_

## Provisional Applications:

Serial No: 60/233,856

Filing Date: 09/20/2000

Serial No: \_\_\_\_\_

Filing Date: \_\_\_\_\_

Serial No: \_\_\_\_\_

Filing Date: \_\_\_\_\_

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 472

## Complete if Known

Application Number  
Filing Date September 19, 2001  
First Named Inventor Shalaby et al.  
Examiner Name  
Group Art Unit  
Attorney Docket No. AP32738 066876.0102

### METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 02-4377  
Deposit Account Name Baker Botts LLP

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☒ Other

### FEE CALCULATION

#### 1. BASIC FILING FEE

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
710	355	Utility filing fee	355
320	160	Design filing fee	
490	245	Plant filing fee	
710	355	Reissue filing fee	
150	75	Provisional filing fee	

SUBTOTAL (1) (\$ 355

#### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
33	20** = 13	9	117
1	3** = 0	40	0
Multiple Dependent			

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description
18	9	Claims in excess of 20
80	40	Independent claims in excess of 3
270	135	Multiple dependent claim, if not paid
80	40	** Reissue independent claims over original patent
18	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 117

\*\*or number previously paid, if greater. For Reissues, see above

### FEE CALCULATION (continued)

#### 3. ADDITIONAL FEES

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	For filing a request for ex parte reexamination	
920*	920*	Requesting publication of SIR prior to Examiner action	
1,840*	1,840*	Requesting publication of SIR after Examiner action	
110	55	Extension for reply within first month	
390	195	Extension for reply within second month	
890	445	Extension for reply within third month	
1,390	695	Extension for reply within fourth month	
1,890	945	Extension for reply within fifth month	
310	155	Notice of Appeal	
310	155	Filing a brief in support of an appeal	
270	135	Request for oral hearing	
1,510	1,510	Petition to institute a public use proceeding	
110	55	Petition to revive - unavoidable	
1,240	620	Petition to revive - unintentional	
1,240	620	Utility issue fee (or reissue)	
440	220	Design issue fee	
600	300	Plant issue fee	
130	130	Petitions to the Commissioner	
50	50	Processing fee under 37 CFR 1.17(q)	
180	180	Submission of Information Disclosure Stmt	
40	40	Recording each patent assignment per property (times number of properties)	
710	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
710	355	For each additional invention to be examined (37 CFR § 1.129(b))	
710	355	Request for Continued Examination (RCE)	
900	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0

### SUBMITTED BY

Name (Print/Type) Rochelle K. Seide

Signature

Registration No. (Attorney/Agent)

32,300

### Complete (if applicable)

Telephone (212) 408-2626

Date September 19, 2001

**BAKER BOTTS** LLP

**Certificate of Mailing under 37 CFR 1.8**

I hereby certify that this correspondence\* is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

**Assistant Commissioner for Patents  
Washington, D.C. 20231**

on September 19, 2001.

Date

*Rochelle K. Seide*

Signature

Rochelle K. Seide

Typed or printed name of person of signing Certificate



Express Mail Label No: EF321682197US

\* Correspondence

**CERTIFICATE OF ACKNOWLEDGMENT OF  
EXECUTION OF AN INSTRUMENT**

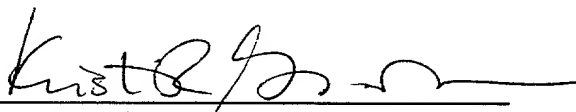
Arab Republic of Egypt  
City of Cairo  
Embassy of the United States  
of America

ss

I, Kristin R. Gustavson, Vice-Consul of the United States of America at Cairo, being duly commissioned and qualified, do hereby certify that on this 10<sup>th</sup> day of January, 2001, before me personally appeared Said I. A. Shalaby and Essam M. A. Hob Allah to me known to be the individuals described in and whose names are subscribed to and who executed the annexed instrument, and being informed of the contents of said instrument they duly acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein mentioned.

**In witness whereof I have hereunto set my hand and  
and official seal on the day and year above written.**

*Seal*

  
\_\_\_\_\_  
**Kristin R. Gustavson,  
Vice-Consul of the United States of America**